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### REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

### PENDING CLAIMS

Claims 1-13 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-19 will be pending for further consideration and examination in the application.

### REJECTION UNDER 35 USC '102

The 35 USC '102 rejections are respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are

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respectfully traversed. As additional arguments, Applicant respectfully submits the following.

In order to properly support a '102 anticipatory-type rejection, any applied art reference must disclose each and every limitation of any rejected claim. The applied art does not adequately support a '102 anticipatory-type rejection because, at minimum, such applied art does not disclose (or suggest) the following discussed limitations of Applicant's claims.

Applicant's claimed embodiments perform some type of modification, and THEN retrieves (i.e., searches for) map data on a basis of the modification. For example, Applicant's clarified independent claim 1 (and claims dependent therefrom) first corrects a width of an area based on latitude values of a desired route, and THEN searches for map data for the corrected width area. Similarly, Applicant's clarified independent claim 2 (and claims dependent therefrom) first reduces a number of nodes consisting of a desired route, and THEN searches for map data for an area related to the simplified route. Finally, Applicant's clarified independent claim 3 (and claims dependent therefrom) first expands a search area in a vicinity of predicted enroute stopping points of a desired route, and THEN searches for map data for the expanded search area.

In contrast, Hayashida et al.'s arrangements appear to retrieve map data first, and performs any Hayashida et al. modification later. For example, Hayashida et al. retrieves map data first, and then performs scaling of the map data so as to fit the map data to a desired display window. With respect to modifying nodes, again Hayashida et al. retrieves map data first. Finally, Hayashida et al. does not appear to expand a search area in a vicinity of predicted enroute stopping points of a

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desired route, and THEN searches for map data for the expanded search area.

Accordingly, it is respectfully submitted that Hayashida et al., in fact (for at least some of Applicant's features/limitations), actually teaches away from Applicant's disclosed and claimed invention.

In addition to the above, attention is also specifically directed to added claims 15-19, which add further features/limitations to Applicant's independent claim 1 embodiment. For example, dependent claim 16 recites, "wherein the map data pertains to topographical features of a spherical body, and wherein the correcting of the width of the area based on latitude values is conducted to compensate for longitudinal width changes present along a latitude direction, from an equator to pole of the spherical body." As another example, claim 17 recites, "wherein a different width correction value is applied for correcting the width, for different ranges of latitude values." It is respectfully submitted that Hayashida et al. neither discloses, nor suggests, the claims 15-19 features/limitations.

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

A summary of the difference between Applicant's invention and Hayashida et al., is as follows.

Applicant's invention is a map information device which provides map data for a terminal (e.g., a vehicle navigation terminal). The feature of Applicant's invention is to determine a map area and to search for map data of the map area to be provided to the terminal. So, Applicant's invention isn't at all related to a step performed after searching map data.

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On the other hand, the feature of Hayashida et al. is related to how the terminal displays map data and retrieves facilities. That is, Hayashida et al.'s disclosure is related to the step after searching of the map data, based on the assumption that the terminal has already determined a map area. Therefore, Hayashida et al. doesn't disclose the composition related to Applicant's invention.

As to claim 1, Applicant's invention sets an area along the route by correcting a width of the area based on latitude, and then searches for map data for the corrected width area. Therefore, map information may always be supplied in a suitable range to the map device (See our invention claim 1; US2005/0102097A1 FIG. 4A, 4B [0042] -[0048]).

On the other hand, as the Examiner points out (See Office action page 6, line 8-14), Hayashida et al. (USP6067502) disclose that a reduced scale is found using a maximum latitude, minimum latitude, maximum longitude and minimum longitude to display the whole route in the 2nd screen (See Hayashida et al. FIG. 8, 13, 15; col. 21, lines 45-48). Consequently, the objective of Hayashida et al. is to display the whole route with these latitude and longitude, and to do so, Hayashida et al. changes a scale of map data after the step of searching for map data. Therefore Hayashida et al. don't disclose the composition which: sets an area along the route by correcting a width of the area based on latitude values of the routes, and then searches for map data for the corrected width area.

As to claim 2, Applicant's invention simplifies the figure of the route by reducing a number of nodes consisting the route, and sets an area along the simplified route, then searches for map data for the area. Therefore Applicant's

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invention may allow simplifying the route area (See our invention claim 2; US2005/0102097A1 FIG. 3; [0033]-[0036]).

On the other hand, the parts that Examiner points out in Hayashida et al. are FIG. 3 and col. 8, 45-62 (See Office action page. 6, lines 19-22). It is disclosed there that the screen is divided. It is true that the number of nodes within each screen is reduced, but the sum of number of overall nodes displayed is not changed.

Besides, Hayashida et al. is referring to how to display the map data after the step of searching for map data.

Consequently, Hayashida et al. doesn't disclose the composition which simplifies the figure of the route by reducing a number of nodes consisting of the route, and sets an area along the simplified route, then searches for map data for the area.

As to claim 3, Applicant's invention predicts enroute stopping points along the route, and sets a search area and expands the search area in the vicinity of the predicted enroute stopping points, then searches for map data for the search area expanded in the vicinity of the predicted enroute stopping points. The server provides map data of larger map area at the enroute stopping point, therefore the user can search for a rest point such as a restaurant even slightly separated from the route (See our invention claim 3 US2005/0102097A1 FIG. 9; [0049], [0051]-[0056]).

On the other hand, as the Examiner points out (See Office action page. 7, lines 6-7), Hayashida et al. disclose a facility data file which stores data related to positions of objective places where the driver may wish to drop, in addition to the destinations (See Hayashida et al. FIG. 2; col. 10, lines 1-54). Also, Hayashida et al.

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disclose that both the facilities along the guide route and the distance to the guide route from the facilities are retrieved considering the present position of the car (See Hayashida et al. F1G. 53 col. 57, lines 65-67; col. 58, lines 1-2 etc.). Furthermore, Hayashida et al. disclose that when the car deviates from the guide route, the return route to this guide route is once searched and a road map in the car neighborhood is shown by the reduced scale in which the return route is appropriately displayed in the 2nd screen (See Hayashida et al. FIG. 47 col. 49, lines 61-67 etc.).

Consequently, Hayashida et al. only teach that the terminal retrieves the facility data from the data file saved in the terminal after the step of searching for map data. Therefore, Hayashida et al. doesn't disclose how to determine the map area, that is, Hayashida et al. doesn't disclose the composition which sets a search area and expands the search area in the vicinity of the predicted enroute stopping points, and searches for map data for the search area expanded in the vicinity of the predicted enroute stopping points.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a '102 anticipatory-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '102 rejection, and express written allowance of all of the '102 rejected claims, are respectfully requested.

#### **EXAMINER INVITED TO TELEPHONE**

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

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### **RESERVATION OF RIGHTS**

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

### **CONCLUSION**

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR 1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 501.43771X00) and please credit any excess fees to such deposit account.

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Based upon all of the foregoing, allowance of all presently-pending claims is  
respectfully requested.

Respectfully submitted,

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